

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
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This document relates to:

Ashton, et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(SN)

**DECLARATION OF ANDREW J. MALONEY, III, ESQ. IN SUPPORT OF MOTION
TO ADD ADDITIONAL PLAINTIFFS AGAINST THE TALIBAN**

I, ANDREW J. MALONEY, III, Esq., pursuant to 28 U.S.C. § 1746, hereby state under penalty of perjury that:

1. I am an attorney representing the plaintiffs in the above-referenced matter and am a partner at Kreindler & Kreindler LLP (“Kreindler & Kreindler”). I am familiar with the facts and circumstances of this case and am admitted to practice in this Court.

2. I submit this Declaration in support of the *Ashton* Plaintiffs’ motion under Rules 15 and 21 of the Federal Rules of Civil Procedure, and in accordance with Case Management Order #2, at ¶12, for leave to amend or supplement their Sixth Amended Complaint to add Additional Plaintiffs as parties as set forth in annexed Exhibit A.

3. Previously, I filed a motion to add certain plaintiffs and I submit this letter-motion now to respectfully ask that this Court grant the attached proposed Order and related Exhibit A identifying two additional plaintiffs that I request be added to the *Ashton* Sixth Amended Complaint.

4. In support of this application, I declare that:

- a. the representations in my prior declaration (ECF 8715) are true and correct and apply to the additional plaintiffs set forth in the attached Exhibit A;
- b. the facts and arguments set forth in the Memorandum of Law in Support of

the *Ashton* Plaintiffs' Motion to Add Additional Plaintiffs to its Sixth Amended Complaint (ECF 8714) are true and correct and apply to the additional plaintiffs set forth in the attached Exhibit A;

- c. my office has verified the relationship between the victim killed on September 11, 2001 and the plaintiffs, the nationality of the plaintiffs and the domicile of the plaintiffs, all as set forth in the attached Exhibit A; and
- d. we have also confirmed that no prior claim has been asserted against the Taliban on behalf of the additional plaintiffs identified in the attached Exhibit A.

5. For all of the reasons set forth in our previous filings (ECF 8713-8716), and in light of this Court's order allowing additional plaintiffs to be added to the *Ashton* Sixth Amended Complaint, I respectfully request that this Court grant the attached proposed Order.

Dated: January 10, 2023
New York, New York

/s/ Andrew J. Maloney, III
Andrew J. Maloney, III